

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first and/or joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD AND CIRCUIT FOR INDICATING QUALITY AND ACCURACY OF PHYSIOLOGICAL MEASUREMENTS** the specification of which was filed on April 6, 2000 as Application No. 09/545,170.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I claim no foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate.

I hereby claim the benefit under Title 35, United States Code § 119(e) of the United States provisional application listed below:

Application No.	Filing Date
60/129,170	April 14, 1999

I claim no the benefit under Title 35, United States Code, Section 120 of any United States application(s).

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

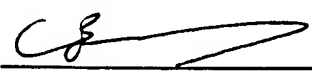
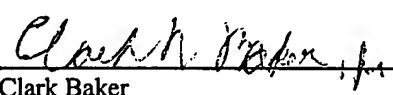
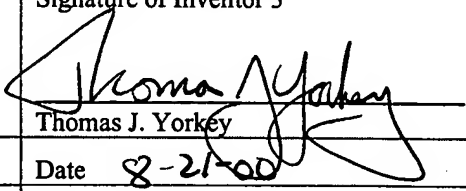

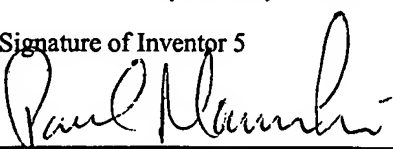
Paul C. Haughey, Reg. No. 31,836

Send Correspondence to: Paul C. Haughey TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834	Direct Telephone Calls to: Name: Paul C. Haughey Reg. No.: 31,836 Telephone: 650-326-2400
--	---

Full Name of Inventor 1:	Last Name: PORGES	First Name: CHARLES	Middle Name or Initial:	
Residence & Citizenship:	City: Orinda	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 61 Mira Loma Street	City: Orinda	State/Country: California	Postal Code: 94563
Full Name of Inventor 2:	Last Name: BAKER	First Name: CLARK	Middle Name or Initial:	
Residence & Citizenship:	City: Castro Valley	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 18493 Magee Way	City: Castro Valley	State/Country: California	Postal Code: 94546

Full Name of Inventor 3:	Last Name: YORKEY	First Name: THOMAS	Middle Name or Initial: J.	
Residence & Citizenship:	City: San Ramon	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 601 Bancroft Place	City: San Ramon	State/Country: California	Postal Code: 94583
Full Name of Inventor 4:	Last Name: BERNSTEIN	First Name: MICHAEL	Middle Name or Initial:	
Residence & Citizenship:	City: San Ramon	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 2713 Sherbear Drive	City: San Ramon	State/Country: California	Postal Code: 94583
Full Name of Inventor 5:	Last Name: MANNHEIMER	First Name: PAUL	Middle Name or Initial:	
Residence & Citizenship:	City: Danville	State/Foreign Country: California	Country of Citizenship: United States	
Post Office Address:	Post Office Address: 4119 Sugar Maple Drive	City: Danville	State/Country: California	Postal Code: 94506

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Charles Porges Date <u>8/22/00</u>	Signature of Inventor 2  Clark Baker Date <u>8/28/2000</u>	Signature of Inventor 3  Thomas J. Yorkey Date <u>8-21-00</u>
Signature of Inventor 4  Michael Bernstein Date <u>Sept 13, 2000</u>	Signature of Inventor 5  Paul Mannheimer Date <u>8/29/00</u>	



009,33-015810US
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

BKusha



101518637A

JANUARY 17, 2001

PTAS
TOWNSEND AND TOWNSEND AND CREW LLP
PAUL C. HAUGHEY
TWO EMBARCADERO CENTER, 8TH FLOOR
SAN FRANCISCO, CA 94111-3834

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/19/2000

REEL/FRAME: 011236/0757
NUMBER OF PAGES: 11

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PORGES, CHARLES

DOC DATE: 08/22/2000

ASSIGNOR:

BAKER, CLARK

DOC DATE: 08/28/2000

ASSIGNOR:

YORKEY, THOMAS J.

DOC DATE: 08/21/2000

ASSIGNOR:

BERNSTEIN, MICHAEL

DOC DATE: 09/13/2000

ASSIGNOR:

MANNHEIMER, PAUL

DOC DATE: 08/29/2000

ASSIGNEE:

MALLINCKRODT INC.
675 MCDONNELL BOULEVARD
HAZELWOOD, MISSOURI 63042

01 JAN 29 AM 8:43
RECEIVED
TOWNSEND & TOWNSEND
& CREW

011236/0757 PAGE 2

SERIAL NUMBER: 09545170
PATENT NUMBER:

FILING DATE: 04/06/2000
ISSUE DATE:

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

11-16-2000

orney Docket No. 009103-015810US

FORM PTO-1595
(Rev. 6-93)U.S. Department of Commerce
Patent and Trademark Office

101518637

To the Honorable Asst. Commissioner for Patents, 101518637 al documents or copy thereof

1. Name of conveying party(ies):

Charles Porges, Clark Baker, Thomas J. Yorkey, Michael Bernstein and Paul Mannheimer

Additional name(s) of conveying parties attached?

☐ Yes ☒ No.

9-19-00

2. Name and address of receiving party(ies)

Name: Mallinckrodt Inc.

Internal Address:

Street Address: 675 McDonnell Boulevard

City: Hazelwood State: MO ZIP: 63042

Additional names and addresses attached?

☐ Yes ☒ No

3. Nature of conveyance:

☒ AssignmentExecution Date: August 22, 2000, August 28, 2000,
August 21, 2000, September 13, 2000 & August 29, 2000

4. Application Number(s) or Patent Numbers.

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s): 09/545,170, filed April 6, 2000 B. Patent No(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Paul C. Haughey
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200

6. Total number of applications and patents involved 1

7. Total fee (37 CFR 3.41): \$40

☐ Enclosed ☒ Charge Fees to Deposit Account☒ Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number: 20-1430

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.

Paul C. Haughey

Name of Person Signing

Signature

Date

Atty Reg. No. 31,836

Total number of pages including cover sheet, attachments and document 11

10. Change Correspondence Address to that of Part 5? ☐ Yes ☒ No

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover to:

Asst. Commissioner for Patents
Box: Assignments
Washington, D.C. 20231

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Charles Porges, of 61 Mira Loma Street, Orinda, CA, 94563, Clark Baker, of 18493 Magee Way, Castro Valley, CA 94546, Thomas J. Yorkey, of 601 Bancroft Place, San Ramon, CA 94583, Michael Bernstein, of 2713 Sherbear Drive, San Ramon, CA 94583, Paul Mannheimer, of 4119 Sugar Maple Drive, Danville, CA 94506 hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: Method and Circuit for Indicating Quality and Accuracy of Physiological Measurements

Date(s) of execution of Declaration:

Filing Date: April 6, 2000

Application No.: 09/545,170; and

WHEREAS, Mallinckrodt Inc., of 675 McDonnell Boulevard, Hazelwood, MO, 63042, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 8/2/00


Charles Porges

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

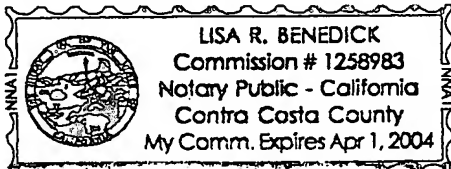
County of Alameda } ss.

On August 22, 2000, before me, Lisa R. Benedick, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Charles Porges
Name(s) of Signer(s)

☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he she/they executed the same in his her/their authorized capacity(ies), and that by his her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Lisa R. Benedick
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

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Signer(s) Other Than Named Above: _____

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- ☐ Trustee
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Signer Is Representing: _____



Assignment
Attorney Docket No.: 09103-015810US
Page 2

Dated: 8/28/2000

Clark R. Baker Jr.
Clark Baker

Dated: _____

Thomas J. Yorkey

Dated: _____

Michael Bernstein

Dated: _____

Paul Mannheimer

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Alameda

} ss.

On August 28, 2000, before me, Lisa R. Benedick, Notary Public

Date

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Clark Baker

Name(s) of Signer(s)

- ☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Lisa R. Benedick
 Signature of Notary Public

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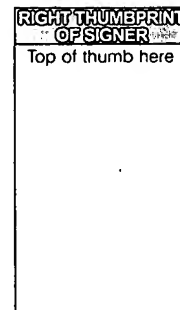
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☐ Trustee
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☐ Other: _____

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Assignment
Attorney Docket No.: 09103-015810US
Page 2

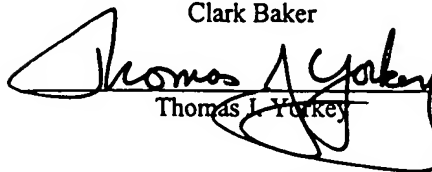
Dated: _____

Dated: 8-21-00

Dated: _____

Dated: _____

Clark Baker



Thomas L. Yorkey

Michael Bernstein

Paul Mannheimer

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Alameda } ss.

On August 21, 2000, before me, Lisa R. Benedick, Notary Public,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Thomas J. Yorkey,
Name(s) of Signer(s)

☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Lisa R. Benedick
Signature of Notary Public

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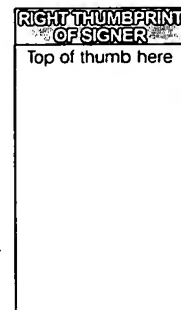
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- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____



Assignment
Attorney Docket No.: 09103-015810US
Page 2


Dated: _____

Clark Baker

Dated: _____

Thomas J. Yorkey

Dated: Sept 13, 2000



Michael Bernstein

Dated: _____

Paul Mannheimer

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Alameda

SS.

On September 13, 2000 before me, Lisa R. Benedick, Notary Public

Date

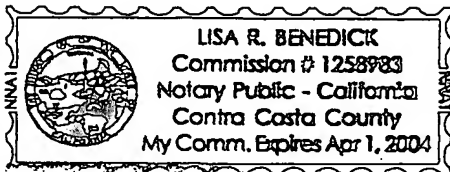
Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Michael Bernstein

Name(s) of Signer(s)

- ☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

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Lisa R. Benedick
 Signature of Notary Public

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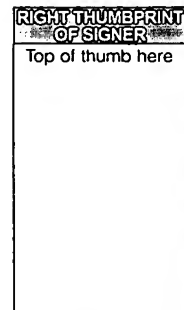
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☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____



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Attorney Docket No.: 09103-015810US
Page 2

Dated: _____

Clark Baker

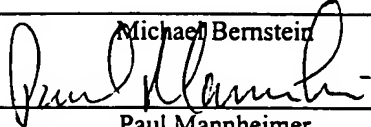
Dated: _____

Thomas J. Yorkey

Dated: _____

Michael Bernstein

Dated: 8/29/00



Paul Mannheimer

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Alameda

} ss.

On August 29, 2000, before me, Lisa R. Benedick, Notary Public

Date

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

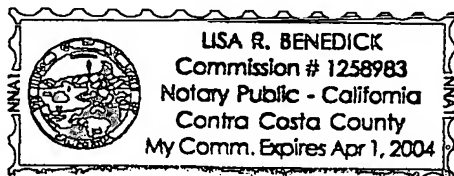
personally appeared

Paul Mannheim

Name(s) of Signer(s)

- ☒ personally known to me
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to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



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☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER Top of thumb here
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